

exclusive administrative authority to resolve a protest involving the solicitation, a proposal for award, or an award of a contract for information technology, to the exclusion of the boards of contract appeals or any other entity. Nothing contained in the subchapter shall affect the right of any interested party to file a protest with the contracting agency or to file an action in a district court of the United States of the United States Court of Federal Claims."

**TITLE XLVI—RELATED TERMINATIONS, CONFORMING AMENDMENTS, AND CLERICAL AMENDMENTS**

**SUBTITLE A—CONFORMING AMENDMENTS**

**SEC. 4601. AMENDMENTS TO TITLE 10, UNITED STATES CODE.**

**SENSITIVE DEFENSE ACTIVITIES.**—For the Department of Defense Section 2315 of such title is amended by striking out from the words "Section 111" through the words "use of equipment or services if," and substituting therein the following:

"For the purpose of the Information Technology Management Reform Act of 1995, the term 'national security systems' means those telecommunications and information systems operated by the Department of Defense, the functions, operation or use of which".

**SEC. 4602. AMENDMENTS TO TITLE 28, UNITED STATES CODE.**

Section 612 of title 28, United States Code, is amended—

(1) in subsection (f), by striking out "section 111 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759)" and inserting in lieu thereof "the provisions of law, policies, and regulations applicable to executive agencies under the Information Technology Management Reform Act of 1995";

(2) in subsection (g), by striking out "sections 111 and 201 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 and 759)" and inserting in lieu thereof "section 201 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481)";

(3) by striking out subsection (1); and

(4) by redesignating subsection (m) as subsection (1).

**SEC. 4803. AMENDMENTS TO TITLE 31, UNITED STATES CODE.**

(a) **AVAILABILITY OF FUNDS FOLLOWING RESOLUTION OF A PROTEST.**—Section 1558(b) of title 31, United States Code, is amended by striking out "or under section 111(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759(f))".

(b) **GAO PROCUREMENT PROTEST SYSTEM.**—Section 3552 of such title is amended by striking out the second sentence.

**SEC. 4804. AMENDMENTS TO TITLE 38, UNITED STATES CODE.**

Section 301 of title 38, United States Code, is amended to read as follows:

**"SEC. 310. CHIEF INFORMATION OFFICER.**

"(a) The Secretary shall designate a chief information officer for the Department in accordance with section 4135(a) of the Information Technology Management Reform Act of 1995.

"(b) The chief information officer shall perform the duties provided for chief information officers of executive agencies under the Information Technology Management Reform Act of 1995."

**SEC. 4805. PROVISIONS OF TITLE 44, UNITED STATES CODE, RELATING TO PAPERWORK REDUCTION.**

(a) **DEFINITION.**—Section 3502 of title 44, United States Code, is amended by striking out paragraph (9) and inserting in lieu thereof the following:

"(9) the term 'information technology' has the meaning given that term in section 4004

of the Information Technology Management Reform Act of 1995;"

(b) **DEVELOPMENT OF STANDARDS AND GUIDELINES BY NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.**—Section 3504(h)(1)(B) of such title is amended by striking out "section 111(d) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759(d))" and inserting in lieu thereof "paragraphs (2) and (3) of section 20(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3(a))".

(c) **COMPLIANCE WITH DIRECTIVES.**—Section 3504(h)(2) of such title is amended by striking out "sections 110 and 111 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 757 and 759)" and inserting in lieu thereof "the Information Technology Management Reform Act of 1995 and directives issued under section 110 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 757)".

**SEC. 4806. AMENDMENT TO TITLE 49, UNITED STATES CODE.**

Section 40112(a) of title 49, United States Code, is amended by striking out "or a contract to purchase property to which section 111 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759) applies".

**SEC. 4818. OTHER LAWS.**

(a) **COMPUTER SECURITY ACT OF 1987.**—(1) Section 2(b)(2) of the Computer Security Act of 1987 (Public Law 100-235; 101 Stat. 1724) is amended by striking out "by amending section 111(d) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759(d))"; and (2) Nothing in the Information Technology Management Reform Act shall affect the limitations on the authorities set forth in P.L. 100-235.

(b) **NATIONAL ENERGY CONSERVATION POLICY ACT.**—Section 801(b)(3) of the National Energy Conservation Policy Act (42 U.S.C. 8287(b)(3)) is amended by striking out the second sentence.

(c) **NATIONAL SECURITY ACT OF 1947.**—Section 3 of the National Security Act of 1947 (50 U.S.C. 403c) is amended by striking out subsection (e).

**SEC. 4919. ACCESS OF CERTAIN INFORMATION IN INFORMATION SYSTEMS TO THE DIRECTORY AND SYSTEM OF ACCESS ESTABLISHED UNDER SECTION 4101 OF TITLE 44, UNITED STATES CODE.**

Notwithstanding any other provision of this division, if in designing an information technology system pursuant to this division, the agency determines that a purpose of the system is to disseminate information to the public, then the head of such agency shall ensure that information so disseminated is included in the directory created pursuant to Section 4101 of Title 44, United States Code. Nothing in this section shall authorize the dissemination of information to the public unless otherwise authorized.

**SEC. 4820. RULE OF CONSTRUCTION RELATING TO THE PROVISIONS OF TITLE 44, UNITED STATES CODE.**

Nothing in this division shall be construed to amend, modify or supercede any provision of Title 44, United States Code, other than Chapter 35 of Title 44, United States Code.

**SUBTITLE B—CLERICAL AMENDMENTS**

**SEC. 4821. AMENDMENTS TO TITLE 38, UNITED STATES CODE.**

The table of sections at the beginning of chapter 3 of title 38, United States Code, is amended by striking out the item relating to section 310 and inserting in lieu thereof the following:

"310. Chief information officer."

**TITLE XLIX—SAVINGS PROVISIONS**

**SEC. 4901. SAVINGS PROVISION.**

(a) **REGULATIONS, INSTRUMENTS, RIGHTS, AND PRIVILEGES.**—All rules, regulations, con-

tracts, orders, determinations, permits, certificates, licenses, grants, and privileges—

(1) which have been issued, made, granted, or allowed to become effective by the Administrator of General Services or the General Services Administration Board of Contract Appeals, or by a court of competent jurisdiction, in connection with an acquisition activity carried out under the section 111 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759), and

(2) which are in effect on the effective date of this title, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the Director of the Office of Management and Budget, any other authorized official, by a court of competent jurisdiction, or by operation of law.

(b) **PROCEEDINGS AND APPLICATIONS.**—

(1) **TRANSFERS OF FUNCTIONS NOT TO AFFECT PROCEEDINGS.**—This Act and the amendments made by this Act shall not affect any proceeding, including any proceeding involving a claim or application, in connection with an acquisition activity carried out under section 111 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759) that is pending before the Administrator of General Services or the General Services Administration Board of Contract Appeals on the effective date of this Act.

(2) **ORDERS IN PROCEEDINGS.**—Orders may be issued in any such proceeding, appeals may be taken therefrom, and payments may be made pursuant to such orders, as if this Act had not been enacted. An order issued in any such proceeding shall continue in effect until modified, terminated, superseded, or revoked by the Director of the Office of Management and Budget, or any other authorized official, by a court of competent jurisdiction, or by operation of law.

(3) **DISCONTINUANCE OR MODIFICATION OF PROCEEDINGS NOT PROHIBITED.**—Nothing in this subsection prohibits the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this Act had not been enacted.

(4) **REGULATIONS FOR TRANSFER OF PROCEEDINGS.**—The Director of the Office of Management and Budget may prescribe regulations providing for the orderly transfer of proceedings continued under paragraph (1).

**TITLE L—EFFECTIVE DATES**

**SEC. 5101. EFFECTIVE DATES.**

This Act and the amendments made by this Act shall take effect 180 days after the date of the enactment of this Act.

**KOHL (AND OTHERS) AMENDMENT NO. 2119**

Mr. KOHL (for himself, Mr. GRASSLEY, Mr. BINGAMAN, Mr. BROWN, Mr. FEINGOLD, Mr. BUMPERS, Mr. BRADLEY, Mr. HARKIN, Mrs. BOXER, and Mr. WELLSTONE) proposed an amendment to the bill S. 1026, supra; as follows:

On page 16, between lines 8 and 9, insert the following:

**SEC. 4. GENERAL LIMITATION.**

Notwithstanding any other provision of this Act, the total amount authorized to be appropriated for fiscal year 1996 under the provisions of this Act is \$257,700,000,000.

**THE LIVESTOCK GRAZING ACT**

**DOMENICI AMENDMENT NO. 2120**  
(Ordered to lie on the table.)

Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill (S. 852) to provide for uniform management of livestock grazing on Federal land, and for other purposes; as follows:

Insert at the end of section 102 the following: "Nothing in this title shall limit or preclude the use of federal land for hunting, fishing, or appropriate recreational activities in accordance with applicable Federal and State laws and the principles of multiple use."

Mr. DOMENICI. Mr. President, I submit an amendment to S. 852.

Mr. President, I submit this amendment to the Public Rangelands Management Act of 1995 in an effort to assure multiple users of public lands, such as hunters and fisherman, that the bill does not change the fundamental requirement of multiple use.

As the principal sponsor of this legislation, I never intended that the bill diminish in any way the rights and privileges currently enjoyed by hunters, fishermen, hikers, back-packers or any outdoor sportsmen and recreationalists.

When the original bill was criticized for limiting access for such purposes, and creating a so-called dominant use for grazing, it was changed.

For example, section 106(a) states that livestock grazing on Federal lands shall be managed under the principle of multiple use and sustained yield.

To further emphasize this fundamental underpinning of the bill, a new finding has been added to section 101(a) to state that: "Multiple use, as set forth in current law, has been and continues to be a guiding principle in the management of public lands and national forests."

The amendment I submit today would unequivocally state, at an appropriate place in the text of the legislation, that "nothing in this title shall limit or preclude the use of Federal land for hunting, fishing or appropriate recreational activities in accordance with applicable Federal and State laws and the principles of multiple use."

I will urge my colleagues at the proper time to add this language to the bill and I assure people across this country that their ability to use public lands for their outdoor sporting and recreational activities will be in no way diminished by this legislation.

#### THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

##### HARKIN (AND OTHERS) AMENDMENT NO. 2121

Mr. HARKIN (for himself, Mr. ABRAHAM, Ms. SNOWE, and Mrs. BOXER) proposed an amendment to the bill S. 1026, supra; as follows:

On page 371, after line 21, insert the following:

#### SEC. 1062 REDUCTION OF UNITED STATES MILITARY FORCES IN EUROPE.

(a) END STRENGTH REDUCTIONS FOR MILITARY PERSONNEL IN EUROPE.—Notwithstanding section 1002(c)(1) of the National Defense Authorization Act, 1985 (22 U.S.C.

1928 note), but subject to subsection (d), for each of fiscal years 1997 and 1998, the Secretary of Defense shall reduce the end strength level of members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of the North Atlantic Treaty Organization (NATO) in accordance with subsection (b).

##### (b) REDUCTION FORMULA.—

(1) APPLICATION OF FORMULA.—For each percentage point by which, as of the end of a fiscal year, the allied contribution level determined under paragraph (2) is less than the allied contribution goal specified in subsection (c), the Secretary of Defense shall reduce the end strength level of members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of NATO by 1,000 for the next fiscal year. The reduction shall be made from the end strength level in effect, pursuant to section 1002(c)(1) of the National Defense Authorization Act, 1985 (22 U.S.C. 1928 note), and subsection (a) of this section (if applicable), for the fiscal year in which the allied contribution level is less than the goal specified in subsection (c).

(2) DETERMINATION OF ALLIED CONTRIBUTION LEVEL.—To determine the allied contribution level with respect to a fiscal year, the Secretary of Defense shall calculate the aggregate amount of the incremental costs to the United States of permanently stationing United States forces ashore in European member nations of NATO, and the foreign labor compensation costs of United States military installations in European member nations of NATO, that are assumed during that fiscal year by such nations, except that the Secretary may consider only those cash and in-kind contributions by such nations that replace expenditures that would otherwise be made by the Secretary using funds appropriated or otherwise made available in defense appropriations Acts.

##### (c) ANNUAL ALLIED CONTRIBUTION GOALS.—

(1) GOALS.—In continuing efforts to enter into revised host-nation agreements as described in the provisions of law specified in paragraph (2), the President is urged to seek to have European member nations of NATO assume an increased share of the incremental costs to the United States of permanently stationing United States forces ashore in European member nations of NATO and the foreign labor compensation costs of United States military installations in those nations in accordance with the following timetable:

(A) By September 30, 1996, 37.5 percent of such costs should be assumed by those nations.

(B) By September 30, 1997, 75.0 percent of such costs should be assumed by those nations.

(2) SPECIFIED LAWS.—The provisions of law referred to in paragraph (1) are—

(A) section 1301(e) of National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2545);

(B) section 1401(c) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 107 Stat. 1824); and

(C) section 1304 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 108 Stat. 2890).

##### (d) EXCEPTIONS.—

(1) MINIMUM END STRENGTH AUTHORITY.—Notwithstanding reductions required pursuant to subsection (a), the Secretary of Defense may maintain an end strength of at least 25,000 members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of NATO.

(2) WAIVER AUTHORITY.—The President may waive operation of this section if the President declares an emergency. The President shall immediately inform Congress of any such waiver and the reasons for the waiver.

(e) ALLOCATION OF FORCE REDUCTIONS.—To the extent that there is a reduction in end strength level for any of the Armed Forces in European member nations of NATO in a fiscal year pursuant to subsection (a), the reduction shall be used to make a corresponding increase in the end strength levels of members of each of the Armed Forces of the United States assigned to permanent duty ashore in the United States or in other nations (other than European member nations of NATO). The Secretary of Defense shall allocate the increases in end strength levels under this section.

(f) INCREMENTAL COSTS DEFINED.—For purposes of this section, the term "incremental costs", with respect to permanent stationing ashore of United States forces in foreign nations, has the meaning given such term in section 1313(f) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 108 Stat. 2895).

##### LEVIN (AND BINGAMAN) AMENDMENT NO. 2122

Mr. LEVIN (for himself and Mr. BINGAMAN) proposed an amendment to the bill S. 1026, supra; as follows:

At the end of Section 105, insert the following: "The reserve components shall choose the equipment to be procured with the Funds authorized herein according to their highest modernization priorities."

##### GLENN AMENDMENT NO. 2123

Mr. GLENN proposed an amendment to the bill S. 1026, supra; as follows:

Beginning on page 154, strike out line 4 and all that follows through page 155, line 20, and insert in lieu thereof the following:

#### SEC. 502. REVIEW OF PERIOD OF OBLIGATED ACTIVE DUTY SERVICE FOR GRADUATES OF SERVICE ACADEMIES.

Not later than April 1, 1996, the Secretary of Defense shall—

(1) review the effects that each of various periods of obligated active duty service for graduates of the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy would have on the number and quality of the eligible and qualified applicants seeking appointment to such academies; and

(2) submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives a report on the Secretary's findings together with any recommended legislation regarding the minimum periods of obligated active duty service for graduates of the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy.

##### LEAHY (AND OTHERS) AMENDMENT NO. 2124

Mr. LEAHY (for himself, Mr. LUGAR, Mr. GRAHAM, Mrs. KASSEBAUM, Mr. SIMON, Mr. INOUE, Mr. JEFFORDS, Mr. REID, Mr. HATFIELD, Mr. FORD, Mr. HARKIN, Mr. SARBANES, Mr. FEINGOLD, Mr. KOHL, Mr. LAUTENBERG, Mr. DODD, Mr. KERRY, Mr. BRADLEY, Ms. MOSELEY-BRAUN, Mr. BUMPERS, Mr. KENNEDY, Mrs. BOXER, Mr. PELL, Mr. CHAFEE, Mr. DORGAN, Ms. MIKULSKI, Mr. WELLSTONE, Mr. DASCHLE, Mrs. MURRAY, Mr. SIMPSON, Mr. BRYAN, Mr. MOYNIHAN, and Mr. KERREY, Mrs. FEINSTEIN, Mr. AKAKA, Mr. CONRAD, Mr.